

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

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**October 9, 2006**  
**10<sup>th</sup> Floor Conference Room, City Hall**  
**4:00 p.m.**

**AGENDA:** Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, October 10, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**October 10, 2006**  
**Council Chambers, City Hall**  
**9:00 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

9:00 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police Chaplain Carlos Flores**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. CHILDHOOD HUNGER AWARENESS DAY**
- 2. DOMESTIC VIOLENCE AWARENESS MONTH**
- 3. EXEMPLARY STUDENT ATHLETE AND COMMUNITY VOLUNTEER**
- 4. WHITE CANE SAFETY MONTH**
- 5. 2006 YWCA WEEK WITHOUT VIOLENCE**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA**

- 1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of October 3, 2006, and the Special City Council Meeting of October 2, 2006 (Agenda Review).

- 2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

Mayor John F. Cook

- 3. RESOLUTION(S):**

**3A.** That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), I.G.I.T. LTD. ("Assignor"), and Rodrigo R. Eckenroth ("Assignee") for the following described property: Lot 7, Block 7, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas, municipally known and numbered as 7505 Lockheed, El Paso, Texas. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**3B.** That the City Council: (1) approve an Investor-Owned Housing Rehabilitation application and HOME Grant funding in the amount of \$296,000.00 for the rehabilitation of a four unit building located at 2229 Bassett, pursuant to the terms set forth in the City of El Paso Housing Programs Handbook, Chapter Five (Investor-Owned Properties), and as recommended by the Director of Community and Human Development; and that City Council (2) authorize the

City Manager to sign all appropriate closing documents necessary to secure the City's loans. **(District 8)**

[Community and Human Development, Jaime Herrera, (915) 541-4340]

- 3C.** That the Solid Waste liens on the attachment posted with this agenda be approved. **(Districts 1, 2, 3, 4, & 5)** (See Attachment A)

[Environmental Services, Ellen A. Smyth, (915) 621-6719]

- 3D.** That the City Manager be authorized to apply for, accept, reject, alter, or terminate an Office of the Attorney General - Victim Coordinator and Liaison Grant (VCLG) 2007 from the Crime Victims Services Division. The grant is in the amount of \$39,000 with a cash match in the amount of \$6,943 and an in-kind match of \$1,000. **(All Districts)** [Police Department, Paul Cross, (915) 564-7310]

- 3E.** That the City Manager be authorized to apply for, accept, reject, alter, or terminate an Office of the Attorney General - Other Victim Assistance Grant (OVAG) 2007 from the Crime Victims Services Division. The grant is in the amount of \$50,000 with a cash match in the amount of \$32,778 and an in-kind match of \$2,002. **(All Districts)** [Police Department, Paul Cross, (915) 564-7310]

- 3F.** That the appraisal roll is approved by City Council and does constitute the tax roll for 2006 of the City and all entities for which the City Tax Assessor/Collector collects taxes. [Tax Office, Juan Sandoval, (915) 541-4369]

#### **4. BOARD APPOINTMENT(S):**

- 4A.** Jennifer Matthews to the Parks and Recreation Advisory Board by Representative Eddie Holguin Jr., District 6.

[Representative Eddie Holguin, Jr., (915) 541-4178]

- 4B.** Francis J. (Chip) Anderson to fill the un-expired term of R. Brooks Vandivort to the IT Advisory Board by Representative Ann Morgan Lilly, District 1.

[Representative Ann Morgan Lilly, (915) 541-4151]

- 4C.** Cecilia Ochoa Levine to the Committee on Border Relations by Mayor John Cook. [Mayor John F. Cook, (915) 541-4145]

#### **5. ENGINEERING:**

The award of Solicitation No. 2006-139, Ysleta Library Branch Addition to Blair-Hall Company, Inc. in the amount of \$436,930.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation.

That the City Manager be authorized to sign the contract;

Department:	Library
Location:	9321 Alameda Ave.
Base Bid I:	\$436,930.00
Account No.	G7131CD0013/71150069/07828/508027
Funding Source:	Community Development Block Grant
<b>District(s):</b>	<b>6</b>

That as part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design but which do not increase the scope of the contract as awarded in an amount not to exceed \$25,000.00 per numbered change order without further authorization by City Council. [Engineering Department, Rick Conner, (915) 541-4423]

## 6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

- 6A.** Request that the Purchasing Manager of Financial Services be authorized to issue a Purchase Order to C.S. Environmental, Inc., the sole source distributor of Solo Ramps concrete modular skateboard ramps, to be installed at the Ysleta Park in the amount of \$56,055.16.

Department: Parks & Recreation  
 Account No.: 71150069-07829-508027-7131CD0014  
 Funding Source: CDBG Park Projects  
 Renovations/Upgrades/Ysleta Park  
 Award amount: \$56,055.16  
 Sole Source No.: 2007-031

**(District 6)** [Financial Services, Terrence Freiburg, (915) 541-4313]

- 6B.** Authorize the Purchasing Manager to issue Purchase Orders as needed to L-3 Communications Security and Detection Systems, Inc., the sole source for the installation, maintenance, and support services of its proprietary explosive detection system, the L-3 eXaminer, at the El Paso International Airport in the amount of \$74,452.21.

Department: Department of Aviation  
 Account No.: PAP0024-62620028-41067-508027  
 Funding Source: Airport Enterprise Fund  
 Amount: \$74,452.21  
**District(s): District 3**  
 Sole Source No.: 2007-023

[Financial Services, Terrence Freiburg, (915) 541-4313]

## 7. BID(S):

The award of Solicitation No. 2007-005, Barricade Rental Service, to Apache Barricade & Sign for a total estimated award of \$150,000.00.

Department: Street  
 Award to: Apache Barricade & Sign  
 El Paso, Texas  
 Item(s): 1 thru 53  
 Option: To extend the term of the contract at the same unit prices for one (1) or two (2) additional year(s) if the option is exercised within two (2) years from the date of the award.  
 Annual Estimated Amount: \$50,000.00  
 Account No.: 32010200-502411-01101  
 Funding Source: Street Operating Funds-Street Maintenance  
 Total Estimated Award: \$150,000.00  
**District(s): All**

This is a requirements type contract with an initial term of thirty-six (36) months.

Vendor also offers the City a prompt payment discount of 3% ten days.

The Departments of Financial Services and Street recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services, Terrence Freiburg, (915) 541-4313]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 8A.** An Ordinance granting a Special Privilege to La Mujer Obrera to temporarily close a portion of Willow Street between Texas Avenue and Myrtle Avenue for the Annual Dia de los Muertos Street Festival on Saturday, October 28, 2006. (Fee: \$137.50, SPL06-00020). **(District 8)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 8B.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), Subsection C, (Exceptions), of the El Paso City Code to add an exception for memorial markers, the penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)** [Engineering Department, Rick Conner, (915) 541-4423]
- 8C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A), Subparagraph (88), of the El Paso City Code by deleting an existing location on San Antonio Avenue, South side only, between Florence Street and Ochoa Street; and Subparagraph (91) of the El Paso City Code by deleting an existing location on Florence Street, East side only, between Overland Avenue and San Antonio Avenue. The penalty as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III Parking Prohibited at All Times on Certain Streets), of the El Paso City Code to amend Subparagraph 363 to prohibit parking on San Antonio Avenue from Florence Street to Ochoa Street, North side only; and Subparagraph 365 to prohibit parking on Florence Street from San Antonio Avenue to Overland Avenue, West side only. The penalty being as provided in Section 12.48.010 (Violation--Penalty) of The El Paso City Code. **(District 8)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8E.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets) of the El Paso City Code to amend Subparagraph 260, Overland Avenue, to prohibit parking on the North side, from Florence Street to a point 170

feet West and on the South side from Florence Street to a point 200 feet West. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 8F.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing, and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations), Subsection B, Subparagraph 21 (Reserved for Law Enforcement Vehicles Loading and Unloading Prisoners Only), of the El Paso City Code to reserve all spaces between Overland Avenue and San Antonio Avenue that are on the East side of Campbell Street or the West side of Florence Street, and three spaces within the curb setback on the North side of Overland between Campbell and Florence. The penalty being as provided in Section 12.48.010 (Violation--Penalty) of the El Paso City Code. **(District 8)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8G.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A), of the El Paso City Code by adding a new location on Pendale Road from Gateway East Boulevard to Kastrin Street, both sides. The penalty being as provided in Section 12.88.180 of the El Paso City Code. **(District 7)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8H.** An Ordinance authorizing the City of El Paso to sell a 2.717-acre parcel, more or less, being a portion of Tract 14A, A.F. Miller Survey No. 210, and a portion of Tract 3B, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, to Mountain Valley Homes, Inc. **(District 1)**  
[Financial Services, Gonzalo Cedillos, (915) 541-4074]
- 8I.** An Ordinance authorizing the City of El Paso to sell a 12.197-acre parcel of land, more or less, being a portion of Tract 6B, S.A. & M.G. Railways Survey Company No. 268, and a portion of Tract 3B, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, to Ham Management, LLC. **(District 1)**  
[Financial Services, Gonzalo Cedillos, (915) 541-4074]
- 8J.** An Ordinance authorizing the City of El Paso to sell a 1.060-acre parcel, more or less, being all of Tract 8C1, S.A. & M.G.R.R. Survey, El Paso, El Paso County, Texas, to EP Summit, L.P. **(District 1)**  
[Financial Services, Gonzalo Cedillos, (915) 541-4074]

**PUBLIC HEARING WILL BE HELD ON OCTOBER 24, 2006, FOR ITEMS 8A – 8J**

- 8K.** An Ordinance changing the zoning of Tract 7, Block 6, Ysleta Grant, El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-1 (Commercial) and R-4 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8643 North Loop Drive. Applicant: JBG Properties, LTD. ZON06-00073 **(District 7)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 8L.** An Ordinance changing the zoning of Parcel 1: a portion of Tracts 2B, 2B4, 2B5, and 2B6A and a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40, and 41, Palmdale Acres, El Paso, El Paso County, Texas, from A-M (Apartment and Mobile Home Park) and R-F (Ranch and Farm) to A-O (Apartment/Office); and Parcel 2: a portion of

Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40, and 41, Palmdale Acres, El Paso, El Paso County, Texas, from A-M (Apartment and Mobile Home Park) to C-4 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 7199, 7201, 7203, 7205, and 7207 North Loop Drive.

Applicant: Casas por Cristo. ZON06-00085 **(District 3)**

[Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 8M.** An Ordinance changing the zoning of Lot 24 and the East 14.5 feet of Lot 23, Block 92, Bassett Addition, El Paso, El Paso County, Texas, from A-2 (Apartment) to S-D (Special Development) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 2615 Montana Avenue. Applicant: Martin Beltran. ZON06-00100 **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 8N.** An Ordinance changing the zoning of a portion of Lot 27, Block 25, Latta's (Woodlawn) Addition, El Paso, El Paso County, Texas, from A-3 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 3809 East Paisano Drive. Applicant: Abdulnassir Almaghrabi, Trustee. ZON06-00092 **(District 3)** [Development Services/Planning, Stephen Schlett, (915) 541-4935]

- 8O.** An Ordinance changing the zoning of a portion of Lots 3 and 4, Block 280, Pierce Finley Addition, El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1002 Arizona Avenue. Applicant: Christ Chavez. ZON06-00094. **(District 8)** [Development Services/Planning, Stephen Schlett, (915) 541-4935]

- 8P.** An Ordinance changing the zoning of a portion of Lots 2 and 3, Block 4, Continental Industrial Park, El Paso, El Paso County, Texas, from P-I (Planned Industrial) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1055 Diesel Drive. Applicant: Juana Morales Orozco. ZON06-00096. **(District 7)** [Development Services/Planning, Stephen Schlett, (915) 541-4935]

#### **PUBLIC HEARING WILL BE HELD ON OCTOBER 31, 2006, FOR ITEMS 8K – 8P**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

#### **REGULAR AGENDA – OTHER BUSINESS**

#### **9. MAYOR AND COUNCIL:**

- 9A.** Discussion and action regarding the City's present lease of land to the Insights Science Museum and if the City Manager has future plans to use the leased property. [Representative Melina Castro, (915) 541-4400] **POSTPONED FROM 09-26-06**

**9B.** Discussion and action on possibly implementing a new procedure for members of City Council when they abstain from voting on an issue by Representative Jose Alexandro Lozano. [Representative Jose Alexandro Lozano, (915) 541-4515]

**9C.** Discussion and action to temporarily rescind the passing of an Ordinance for No Parking Zones on Cosmos Street until other alternatives are discussed and agreed upon by Representative Jose Alexandro Lozano.  
[Representative Jose Alexandro Lozano, (915) 541-4515]

**10. DEVELOPMENT SERVICES:**

**10A.** Discussion and action on submitted parade applications for the City's Fiscal Year 2007 and a determination on which events the City will support at no cost or at a reduced cost to the applicant pursuant to Municipal Code Section 13.36.050, F., Costs and Fees.  
**(All Districts)** [Development Services, R. Alan Shubert, (915) 541-4557]

**1. Operation Santa Claus**

Resolution that the City Manager be authorized to execute an agreement between the City of El Paso and OpSanta, Inc., for the Operation Santa Claus parade and presentation of toys to El Paso children on November 30, 2006; and under the terms of which agreement the City will provide the necessary funds to cover the costs of the on-duty police traffic-control assistance.

**2. United American Veterans Organization**

Resolution that the City Manager be authorized to execute an agreement between the City of El Paso and the United American Veterans Organization for the Veterans Day Parade on November 11, 2006; and under the terms of which agreement the City will provide the necessary funds to cover the costs of the on-duty police traffic-control assistance.

**3. West Texas Confederation of Clubs**

Resolution that having found a public purpose for the West Texas Confederation of Clubs for the Motorcycle Toy Run on November 5, 2006, staff is authorized to negotiate, the City Attorney's office is authorized to approve, and the City Manager is authorized to sign an agreement pertaining to a limited co-sponsorship of the parade by the City of El Paso at such time that the route and traffic control plans are finalized.

**10B.** Discussion and action on a Resolution authorizing the City Manager to sign a five year (2006-2010) contract with the Sun Bowl Association to provide services to the Sun Bowl Parade. **(All Districts)**  
[Development Services, Harry Steele, (915) 541-4570]

**11. CITY MANAGER:**

City Manager's report of current events and issues:

**11A.** Discussion and action:

**1.** Feasibility of creating Public Improvement District No. 1 (Thunder Canyon).



2. Acknowledgement of the waiving of fees by First Southwest Company for financial advisory services provided in the creation of the Public Improvement District Number One.

3. Willis Construction Company's repurchase option in the City's contract to acquire Thunder Canyon.

[Engineering Department, Rick Conner, (915) 541-4423]

- 11B. An update on the program and fiscal status of the El Paso Museum of History presented by the Museums and Cultural Affairs Department.

[Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896]

### **EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>